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20 UNITED STATES OF AMERICA

21 UNITED STATES DISTRICT COURT

22 FOR THE CENTRAL DISTRICT OF CALIFORNIA

23 SOUTHERN DIVISION

24 UNITED STATES OF AMERICA,

25 No. CR 11-833(A)-JLS

26 Plaintiff,

27 GOVERNMENT'S SUPPLEMENTAL NOTICE
REGARDING USE OF FOREIGN
INTELLIGENCE SURVEILLANCE ACT
INFORMATION

28 OYTUN AYSE MIHALIK,
aka "Ayse Oytun Akin,"
aka "Ayse Mihalik,"
aka "Cindy Palmer,"

29 Defendant.

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32 The United States of America, by and through its undersigned
33 counsel, hereby supplements its previous Notice of Intent to Use
34 Foreign Intelligence Surveillance Act information, filed on September
35 23, 2011. This supplemental notice is being filed as a result of the
36 government's determination that information obtained or derived from
37 Title I FISA collection may, in particular cases, also be "derived"

1 from" prior Title VII FISA collection. Based upon that determination
2 and a recent review of the proceedings in this case, the United
3 States of America hereby provides notice to the Court and the
4 defense, pursuant to Title 50, United States Code, Sections 1806(c)
5 and 1881e(a), that the information the United States intended to
6 enter into evidence, or otherwise use or disclose at trial, hearings,
7 or other proceedings in this case, included information derived from
8 acquisition of foreign intelligence information conducted pursuant to
9 the Foreign Intelligence Surveillance Act of 1978, as amended, 50
10 U.S.C. § 1881a.

11 The United States of America has discussed this supplemental
12 notice with defense counsel. Defense counsel has advised that
13 defendant Mihalik has conferred with her counsel about this
14 supplemental notice, and does not intend to pursue any further action
15 in this matter.

16 Dated: April 4, 2014

Respectfully submitted,

17 ANDRÉ BIROTTÉ JR.
18 United States Attorney

19 ROBERT E. DUGDALE
20 Assistant United States Attorney
Chief, Criminal Division

21 _____/s/
22 JUDITH A. HEINZ
23 Assistant United States Attorney

24 Attorneys for Plaintiff
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